

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA)	Case No. 2:21 CR 19
)	
)	Judge J. Nicholas Ranjan
)	
v.)	
)	
)	
KALEB LEVICKY)	

**SECOND MOTION FOR EXTENSION OF TIME
TO FILE PRE-TRIAL MOTIONS**

AND NOW, comes the Defendant, Kaleb Levicky, by and through his attorney, Lane M. Turturice, and respectfully submits the following:

1. Defendant is charged in the above indictment with Cyberstalking (18 U.S.C. § 2261 A(2)(B) and Interstate Communication of Threat to Injure 18 U.S.C. § 875(c).
2. Defendant's pre-trial motions are due on or about June 21, 2021.
3. Defendant has received discovery from the government.
4. Defendant is presently incarcerated and due to Covid-19 restrictions and the Defendant's location the Defendant has not been able to participate in his defense in the same way if the Defendant were not incarcerated pending trial.
5. The Defendant was initially evaluated for reasons related to competency and treatment recommendations pending trial, but additional, more specialized diagnosis and treatment is necessary.
6. It is believed that the parties can reach a plea agreement.

7. Defendant requests an extension of at least 90 days in which to file Pre-Trial

Motions.

WHEREFORE, it is respectfully requested that this Honorable Court grant Defendant an extension of time of ninety (90) days to file pre-trial motions.

Respectfully submitted,

/s/ Lane M. Turturice, Esquire

Lane M. Turturice, Esquire
Attorney for Defendant

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v.

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CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that on May 28, 2021, a true and correct copy of the Motion was served by electronic means on the following:

Cindy K. Chung, AUSA
cindy.chung2@usdoj.gov

Respectfully submitted,

/s/ Lane M. Turturice, Esquire

Lane M. Turturice, Esquire

PA ID No. 85088

70 E. Wheeling Street

Washington, PA 15301

(724)470-9640

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ORDER OF COURT

AND NOW, to wit, this _____ day of _____, 2021, it is hereby ORDERED, ADJUDGED and DECREED that the Defendant's Motion For Extension of Time To File Pre-trial Motions is GRANTED. The Defendants pre-trial motions shall be due on or before September 22, 2021.

It is further ORDERED that pursuant to 18 U.S.C. § 3161 (h)(3)(A) that the period of delay resulting from this continuance shall be excluded in computing the time within which the trial of the above-captioned matter must commence, because the court concludes that the ends of justice served by granting the extension of time outweigh the interests of the public and the defendant in a speedy trial.

District Judge J. Nicholas Ranjan